

REMARKS

Claims 1-13 are pending in the above-identified application. Support for the features recited in the amended claims is found in original claims 1-3, as well as at pages 4-5 of the specification.

Submission of Correction to PTO-1449 Form

Enclosed is a corrected version of the PTO-1449 form for the Information Disclosure Statement filed November 18, 2003. In this regard, note that the only listed EPO document correctly has a date of June 8, 1994 (rather than the incorrect date of August 6, 1994). It is requested that this corrected date be made of record in connection with the present application.

Allowable Claims

Claim 3 was indicated to be in allowable form, and was merely objected to as being dependent upon a rejected base claim. It is clear from a review of the prior art rejection summarized below that the allowable feature recited in claim 3 was the void volume. Because this allowable feature was inserted into claims 1 and 2, it is submitted that independent claims 1 and 2 and all claims depending from claims 1 and 2, i.e. claims 3-5 and 10-13 are also placed in allowable form. Also, original method claim 6 has been

amended so as to include the allowable features of claim 1 thereinto, along with new claim 8 including the allowable features of amended claim 2 thereinto. Therefore, it is submitted that claims 6-9 have also been placed into allowable form. In this regard, it is respectfully requested that a Restriction Requirement not issue in connection with these method claims which describe methods to form the golf ball products recited in the other allowable claims in the present application.

Removal of Issue Under 35 U.S.C. 112

Claims 6 and 7 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite because these method claims depend from product claims. Claim 6 has been amended so as to be in independent form in order to remove the basis of this rejection. It is also noted that new claim 8 is analogous to claim 6, except that new claim 8 includes the features of amended claim 2, rather than amended claim 1. Also, dependent claims 7 and 9 depend from independent claims 6 and 8, respectively. Therefore, it is submitted that all of these claims comply with all requirements under 35 U.S.C. 112, such that the above-noted rejection should be withdrawn.

Removal of Issue Under 35 U.S.C. 102(b)

Claims 1, 2, 4 and 5 have been rejected under 35 U.S.C. 102(b) as being anticipated by Sullivan '906 (USP 6,186,906).

The basis for the above-noted rejection has been withdrawn upon the incorporation of the allowable feature in claim 3 into original independent claims 1 and 2. Therefore, it is requested that this rejection be withdrawn.

Conclusion

It is submitted for the reasons stated above that the present claims define patentable subject matter such that this application should now be placed condition for allowance.

If any questions arise regarding the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

Appl. No. 10/714,659

required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Andrew D. Meikle, #32,868

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

ADM:gmh
0033-0909P

Attachment(s): Corrected PTO-1449 Form